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## UNITED STATES PATENT AND TRADEMARK OFFICE

Paper 1

Filed: 24 May 2010

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

RICHARD W. ARNOLD, WELDON BEARDAIN, DANIEL W. PREVEDEL, DONALD E. RILEY and LESTER L. WILSON Junior Party (Application 09/164,580),

V.

CURTIS NATHAN **POTTER**Senior Party
(Patent 6,028,437).

Patent Interference No. 105,752 (SCM) (Technology Center 2800)

DECLARATION -Bd.R. 203(b)<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1	Part A. Declaration of interference
2	An interference is declared (35 U.S.C. § 135(a)) between the above-
3	identified parties. Details of the application(s), patent (if any), reissue
4	application (if any), count(s) and claims designated as corresponding or as
5	not corresponding to the count(s) appear in Parts E and F of this
6	DECLARATION.
7	Part B. Judge managing the interference
8	Administrative Patent Judge Sally C. Medley has been designated to
9	manage the interference. Bd.R. 104(a).
10	Part C. Standing order
11	A Trial Section STANDING ORDER [SO] (Paper 2) accompanies
12	this DECLARATION. The STANDING ORDER applies to this
13	interference.
14	Part D. Initial conference call
15	A telephone conference call to discuss the interference is set for 1:00
16	p.m. on 20 July 2010 (the Board will initiate the call).
17	No later than four business days prior to the conference call, each
18	party shall file and serve (SO $\P\P$ 10.1 & 105) a list of the motions
19	(Bd.R. 120; Bd.R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file
20	A sample schedule for taking action during the motion phase appears
21	as Form 2 in the STANDING ORDER. Counsel are encouraged to discuss
22	the schedule prior to the conference call and to agree on dates for taking
23	action. A typical motion period lasts approximately eight (8) months.
24	Counsel should be prepared to justify any request for a shorter or longer

25 period.

1	Part E. Identification and order of the parties		
2		Junior Party	
3 4 5 6 7 8	Named Inventors:	RICHARD W. <b>ARNOLD</b> , McKinney, TX WELDON BEARDAIN, Denison, TX DANIEL W. PREVEDEL, Fort Collins, CO DONALD E. RILEY, Midland, TX LESTER L. WILSON, Sherman, TX	
9	Involved Application:	09/164,580, filed 01 Oct. 1998	
10 11	Title:	Known Good Die Using Existing Process Infrastructure	
12 13	Assignee:	Texas Instruments, Inc.	
14	•	Senior Party	
15	Named Inventors:	CURTIS NATHAN <b>POTTER</b> , Austin, TX	
16 17	Involved Patent:	6,028,437, issued 22 Feb. 2000, based on Application 08/858,107, filed 19 May 1997	
18	Title:	Probe Head Assembly	
19	Assignee:	SI Diamond Technology, Inc.	
20			
21	The senior party is assigned exhibit numbers 1001-1999. The junior		
22	party is assigned exhibit numbers 2001-2999. Bd.R. 154(c)(1); SO		
23	¶ 154.2.1. The senior party is responsible for initiating settlement		
24	discussions. SO ¶ 126.1.		

1	Part F. Count and claims of	f the parties	
2	Count 1		
3	Claim 22 of Arnold's Application 09/164,580		
4	or		
5	Claim 1 of Potter's U.S. Patent 6,028,437		
6			
7	The claims of the parties are:	•	
8	Arnold: 1-4	, 9-10, 13-14, 22-27 <sup>2</sup> and 29-31	
9	Potter: 1-1	1	
10 .	The claims of the parties wh	ich correspond to Count 1 are:	
11	Arnold: 1-4	, 9-10, 13-14, 22-27 and 29-31	
12	Potter: 1-1	1	
13	The claims of the parties which do not correspond to Count 1, and		
14	therefore are not involved in the interference, are:		
15	Arnold: no	ne	
16	Potter: no	ne	
17		·	
18	The parties are accorded the following benefit for Count 1:		
19 20		ovisional Application 60/060,800, ed 03 Oct. 1997	
21	Potter: no	ne	

<sup>&</sup>lt;sup>2</sup>The 18 May 2009 listing of claims, indicates that claim 27 depends on claim "26 4." The Board understands that claim 27 depends on claim 26 and not claim 4.

1	Part G. Heading to be used on papers
2	The following heading must be used on all papers filed in this
3	interference, see SO ¶ 106.1.1:
4	UNITED STATES PATENT AND TRADEMARK OFFICE
5	
6	
7	BEFORE THE BOARD OF PATENT APPEALS
8	AND INTERFERENCES
9	
10	
11	RICHARD W. ARNOLD, WELDON BEARDAIN,
12	DANIEL W. PREVEDEL, DONALD E. RILEY
13	and LESTER L. WILSON
14	Junior Party
 15	(Application 09/164,580),
16	
17	v.
18	
19	CURTIS NATHAN POTTER
20	Senior Party
21	(Patent 6,028,437).
 22	
23	
24	Patent Interference No. 105,752 (SCM)
25	(Technology Center 2800)
26	

## Part H. Order form for requesting file copies 1 When requesting copies of files, use of SO Form 4 will greatly 2 expedite processing of the request. Please attach a copy of Parts E and F of 3 this DECLARATION with a hand-drawn circle around the patents and 4 applications for which a copy of a file wrapper is requested. 5 /Sally C. Medley/ 6 Administrative Patent Judge 7 8 Enc: Form PTO-850 9 Copy of STANDING ORDER 10 Copy of U.S. Patent 6,028,437 11 Copy of claims of Application 09/164,580 12 cc (via overnight UPS): 13 Attorney for Arnold: 14 Texas Instruments Incorporated 15 7839 Church Hill Way 16 M/S 3999 17 Dallas, TX 75219 18 19 Attorney for Potter: 20 Matheson/Keys PLLC 21 7004 Bee Cave Rd. 22 Austin, TX 78746 23